



STAFF REPORT

March 5, 2015

AGENDA ITEM: File No. 15002

Consideration of a Zone (map) Change application from Residential Single Family (R-1-10) to Residential Single Family (R-1-8) for a 0.67 acre parcel located at 3292 Grant Road. The Project Site is identified on the Jackson County Assessor's map as 37S 2W 10C, Tax Lot 1900. **Applicant:** Chris Lewellyn.

STAFF SOURCE:

Stephanie Holtey, Community Planner II

BACKGROUND:

The applicant has requested a minor zone map amendment from R-1-10 to R-1-8 with the intent of partitioning the subject property into three (3) parcels. As shown in Table 1, the proposed zone change is needed to achieve the anticipated future density on this site.

Table 1. Proposed Zone Change

| Zoning District | Minimum | | Maximum | |
|------------------|---------|-------|---------|-------|
| | Density | Units | Density | Units |
| Current (R-1-10) | 2 | 1.3 | 4 | 2.7 |
| Proposed (R-1-8) | 3 | 2.0 | 5 | 3.4 |

ISSUES & NOTES:

There are 4 issues/Notes relative to this application as follows:

- Zoning Map and Zoning Code Text Amendments, CPMC Chapter 17.10.** This municipal code section provides standards and procedures for major and minor amendments to the Central Point zoning map. In this case the application was initiated by the applicant and sole owner of the subject property. The action is considered a 'minor' amendment and is being processed using Type III procedures. The amendment should be based on the following criteria; 1) its consistency with the City's Comprehensive Plan, 2) findings demonstrating that adequate public services and transportation networks will serve the property and 3) compliance with the State's Transportation Planning Rule.
- Comprehensive Plan Compliance.** Approval of the proposed zone change must be found consistent with the City's Comprehensive Plan Land Use Plan Map. The subject property has a Comprehensive Plan designation of Low Density Residential, which is consistent with both the existing R-1-10 and proposed R-1-8 zoning designations.
- Compatibility with Surrounding Land Uses and Zoning.** The subject property is contiguous to lands zoned Residential Single Family (R-1-8) to the north, and Residential Single Family (R-1-10) to the east and south. It should be noted that adjoining properties to the east and south are within the Urban Growth Boundary under the County's jurisdiction. Lands west of Grant Road are outside of the UGB and are within the County's Rural

Residential (RR-2.5) zoning district. Although the proposed zone change provides for an increase in residential density, the overall character will remain consistent with the surrounding residential single family uses per CPMC 17.20.

4. **Transportation Planning Rule (TPR) Compliance, OAR 660-012-0060.** Criteria for TPR compliance is addressed in the findings (Attachment B) demonstrating adequate public services and transportation networks.

CONDITIONS OF APPROVAL:

Although a recommendation of a decision to approve a minor amendment may include conditions, staff has not identified the need to impose any conditions at this time.

ATTACHMENTS:

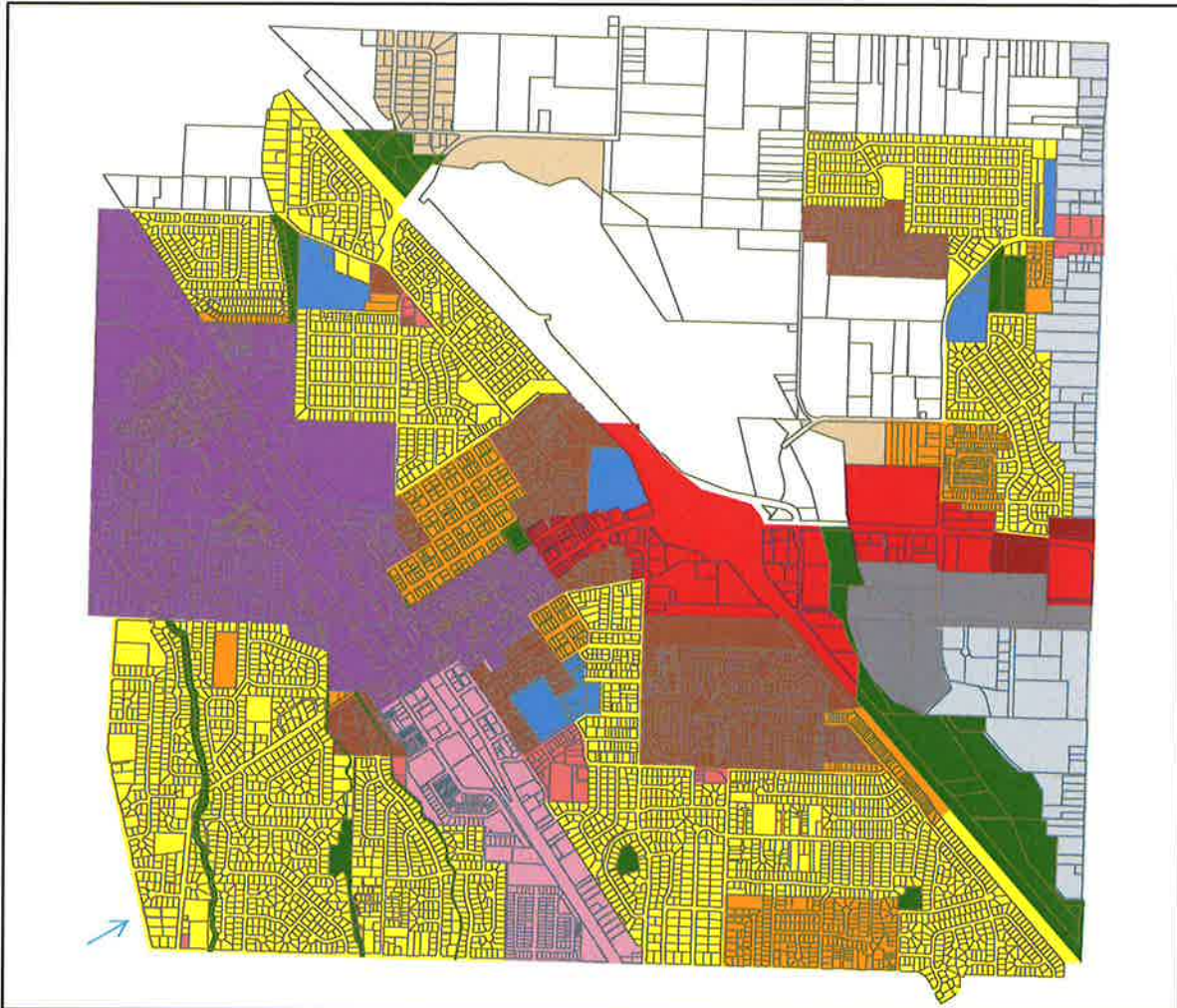
Attachment "A" – Comprehensive Plan and Zoning Maps
Attachment "B" – Planning Department's Findings
Attachment "C" – Resolution No. 816

ACTION:

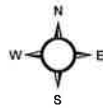
Open public hearing and consider the proposed amendment to the Zoning map, close public hearing and 1) recommend approval to the City Council; 2) recommend approval with revisions; or 3) deny the application.

RECOMMENDATION:

Recommend approval of Resolution No. 816. Per the Staff Report dated March 5, 2015 and supported by Findings of Fact.



City of Central Point
Population 17,375
January 2015
















0 15 30 60 90 120 Feet

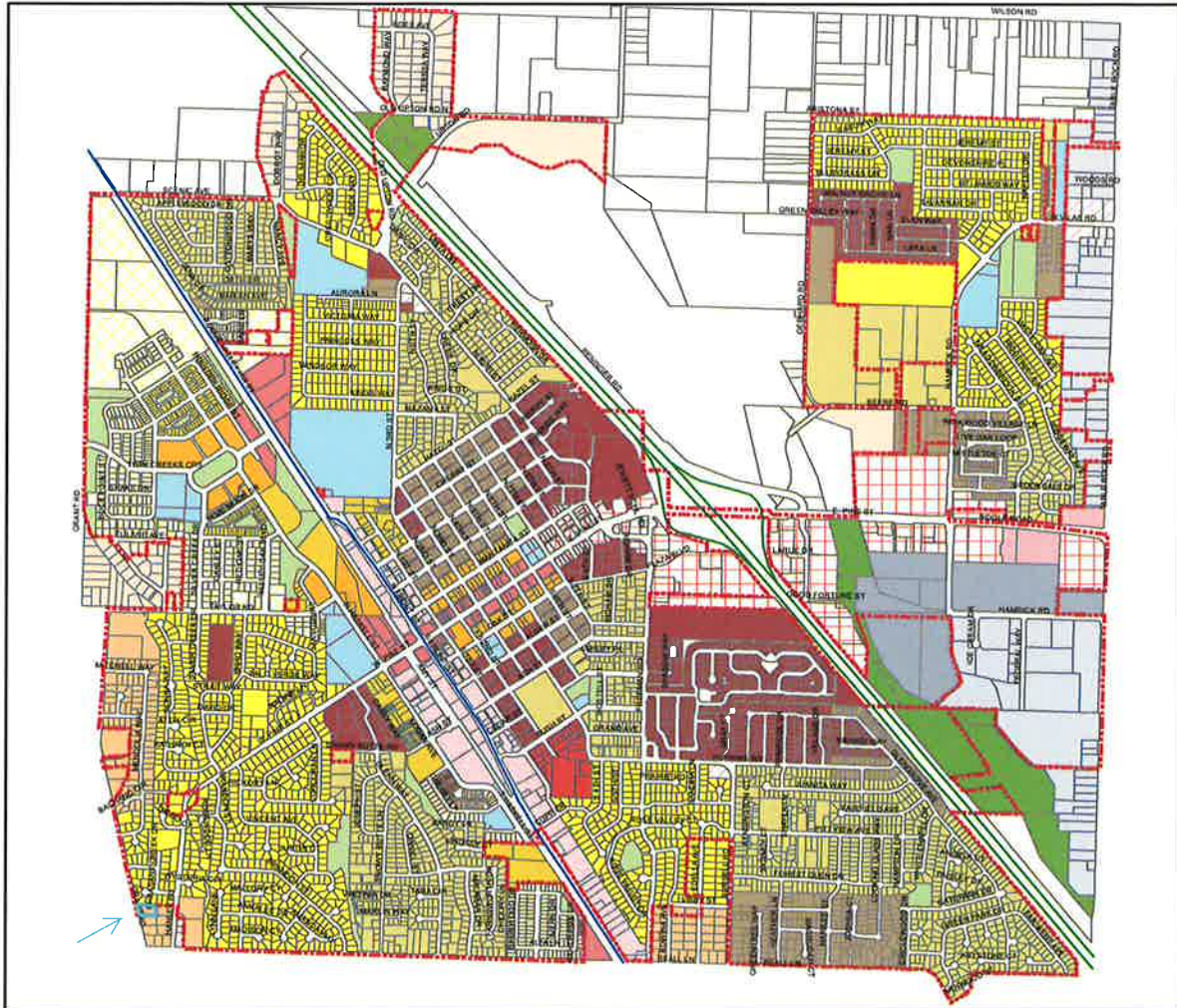
Low Density Residential

3292 Grant Road
37 2W 10C Tax Lot 1900

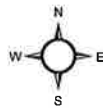
Low Density Residential

Legend

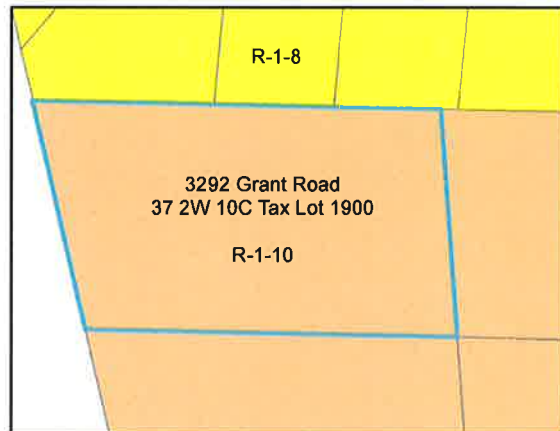
| | | | | | |
|---|---------------------------------|---|------------------|---|--------------|
|  | Neighborhood Convenience Center |  | Very Low Density |  | TOD Corridor |
|  | Tourist and Office Professional |  | Low Density |  | TOD District |
|  | Thoroughfare Commercial |  | Medium Density | | |
|  | Light |  | High Density | | |
|  | General | | | | |
|  | Parks and Open Space | | | | |
|  | Civic | | | | |



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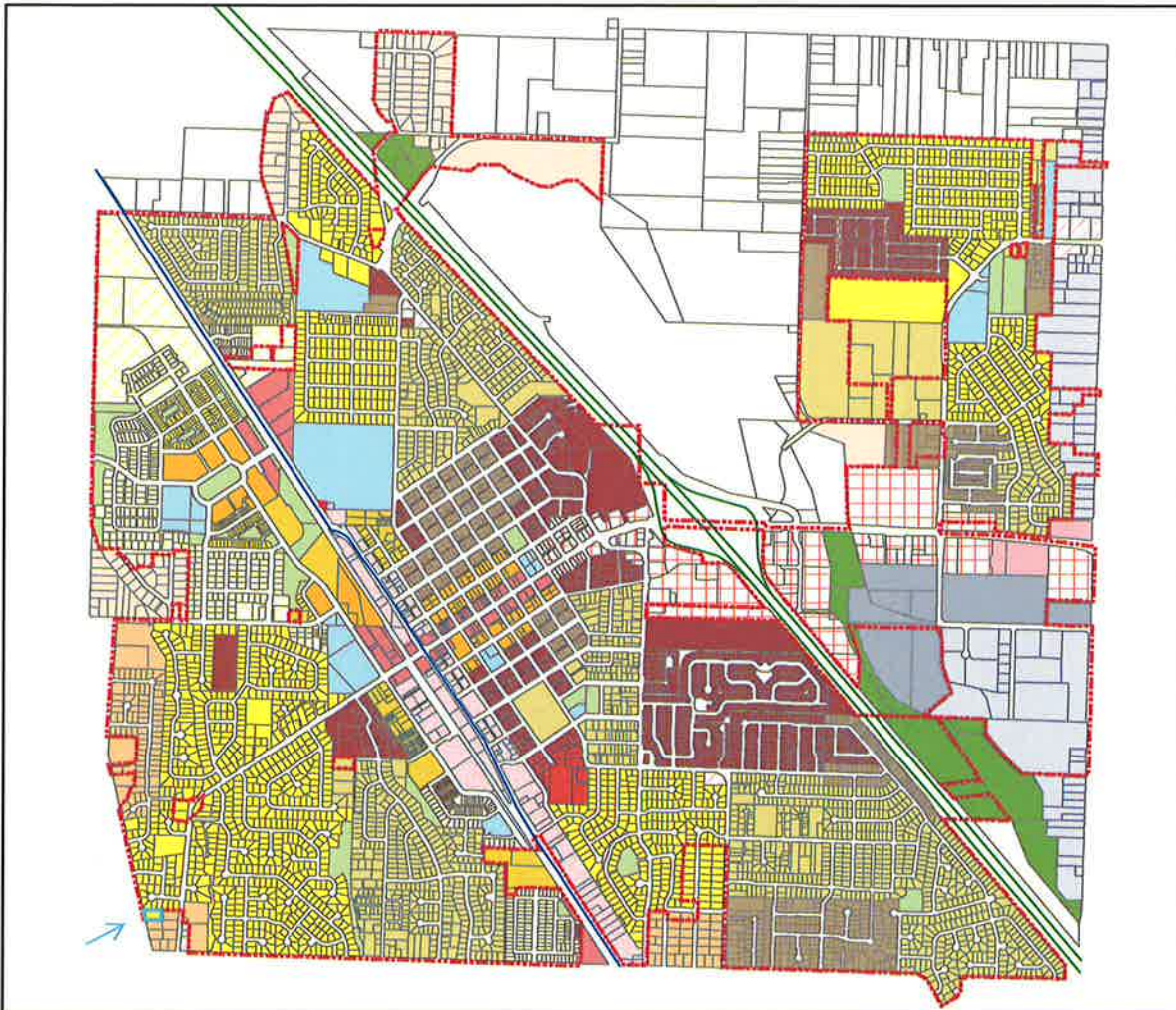


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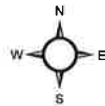


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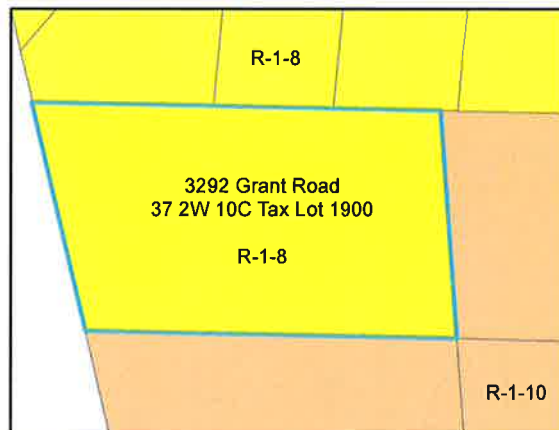
| | | |
|---|---|-----------------------------------|
| BCG = Bear Creek Greenway | GC = General Commercial (TOD) | OS = Open Space/ Parks |
| C-2 (M) = Commercial - Medical District | HMR = High Mix Residential/Commercial (TOD) | R-3 = Multiple Family Residential |
| C-4 = Tourist and Office | LMR = Low Mix Residential (TOD) | R-2 = Two-Family Residential |
| C-5 = Thoroughfare Commercial | ETOD LMR* | R-1-6 = SF Residential - 6,000 |
| CN = Neighborhood Commercial | M-1 = Industrial | R-1-8 = SF Residential - 8,000 |
| Civic | M-2 = Industrial General | R-1-10 = SF Residential - 10,000 |
| ETOD Civic* | MMR = Medium Mix Residential (TOD) | R-L = Low Density Residential |
| EC = Employment Commercial (TOD) | ETOD MMR* | |



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Population 17,375
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0 15 30 60 90 120 Feet



Legend

| | | |
|---|---|-----------------------------------|
| BCG = Bear Creek Greenway | GC = General Commercial (TOD) | OS = Open Space/ Parks |
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| EC = Employment Commercial (TOD) | ETOD MMR* | |

**FINDINGS OF FACT
AND CONCLUSIONS OF LAW
File No.: 15002**

Before the City of Central Point Planning Commission

**Consideration of a Zone (Map) Change Application on a 0.67 acre lot located at 3292 Grant Road.
The property is identified on the Jackson County Assessor's map as 37S2W 10C, Tax Lot 1900.**

| | | |
|-------------------|---|-------------------|
| Applicant: |) | Findings of Fact |
| Chris Lewellyn |) | and |
| |) | Conclusion of Law |

**PART 1
INTRODUCTION**

It is requested that the above referenced tax lots be rezoned from Residential Single Family (R-1-10) to Residential Single Family (R-1-8). The applicant intends to partition the subject property into three (3) parcels.

The zone change request is a quasi-judicial map amendment, which is processed using Type III application procedures. Type III procedures set forth in Section 17.05.400 provide the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

Applicable development code criteria for this Application include:

1. Comprehensive Plan
2. State Transportation Planning Rule
3. CPMC, Chapter 17.10

**PART 2
FINDINGS & CONCLUSIONS**

Staff has reviewed the Applicant's Findings (Exhibit "A") and found that they address all of the applicable development code criteria for the proposed zone (map) amendment. The Applicant's Findings provided in Exhibit "A" are incorporated herein.

**PART 3
SUMMARY CONCLUSION**

As evidenced in findings and conclusions provided in Exhibit "1", the proposed zone change is consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), Comprehensive Plan, and Statewide Transportation Planning Rule.

EXHIBIT "A"
SUPPLEMENTAL FINDINGS
PROPOSED ZONE CHANGE
37-2W-10C TAX LOT 1900

A. Proposal.

Chris Lewellyn ("Applicant"), is the owner of certain real property located in Central Point, Oregon, and commonly known as Township 37 South, Range 2 West, Section 10C, Tax Lot 1900 ("the subject property"). The subject property is currently zoned Residential Single-Family (R-1-10). Applicant proposes a minor zoning map amendment pursuant to Chapter 17.10 of the Central Point Municipal Code (CPMC) to change the zoning designation of the subject property to Residential Single-Family (R-1-8).

B. Schedule of Exhibits.

The following Exhibits have been submitted in support of this Application and by this reference are incorporated herein:

| | |
|---------------------|---------------------------------|
| EXHIBIT "A": | Supplemental Findings |
| EXHIBIT "B": | Warranty Deed |
| EXHIBIT "C": | Aerial Map |
| EXHIBIT "D": | Photographs |
| EXHIBIT "E": | Zoning Map |
| EXHIBIT "F": | RVSS Availability Report |
| EXHIBIT "G": | Agent Authorization |

C. Background.

The subject property is approximately 0.67 acres in size, is zoned Residential Single Family (R-1-10) and is developed with a single family dwelling, a detached garage and accessory structure. The subject property fronts on Grant Road, a county owned and maintained roadway, and is served by City water and sewer. There are no mapped wetlands, streams or mapped flood hazard areas located on the subject property. The subject property is a separate legal parcel for development purposes in that it is Lot #1 of the Diamond Center Subdivision. The subject property has a Comprehensive Plan designation of Low Density Residential. Ultimately, the Applicant intends to partition the subject property into three (3) parcels. The legal description of the subject property is as follows:

**Lot One (1), in DIAMOND CENTER SUBDIVISION, Jackson County,
Oregon, according to the official plat thereof, recorded in Volume 8, Page 6,
Plat Records.**

D. Applicable Criteria.

The standards and criteria that are applicable to this Application are set forth in CPMC Section 17.10.400. Findings addressing the aforementioned standards are set forth as follows:

A recommendation or a decision to approve, approve with conditions or to deny an application for a text or map amendment shall be based on written findings and conclusions that address the following criteria:

A. Approval of the request is consistent with the applicable statewide planning goals (major amendments only). CPMC 17.10.400(A).

Applicant's Findings: The Application consists of a minor zoning map amendment and, therefore, this criteria is not applicable.

B. Approval of the request is consistent with the Central Point comprehensive plan (major and minor amendments). CPMC 17.10.400(B).

Applicant's Findings: The subject property is designated as Low Density Residential pursuant to the Central Point Comprehensive Plan (CPCP). The proposed Residential Single Family (R-1-8) zoning designation for the subject property is an urban low density residential zoning district pursuant to the CPCP and CPMC 17.20.010.

C. If a zoning map amendment, findings demonstrating that adequate public services and transportation networks to serve the property are either available, or identified for construction in the city's public facilities master plans (major and minor amendments). CPMC 17.10.400(C).

Applicant's Findings: The subject property is currently served by existing utilities, including municipal water and Rogue Valley Sanitary Sewer. A City waterline is located in the Grant Road right-of-way adjacent to the subject property. Furthermore, RVSS has a sanitary sewer line located in Grant Road. RVSS has capacity to serve the potential development of the subject property based on the proposed Residential Single Family (R-1-8) zoning district.

Grant Road is currently classified by Jackson County as a local road and has an estimated capacity of 6,903 Average Daily Trips (ADT) based upon two (2) 10-foot travel lanes and two (2) 2-foot shoulders. Grant Road currently has an ADT of 976 pursuant to a traffic count conducted by Jackson County in October, 2014. Consequently, Grant Road is currently operating at approximately 14% of capacity. Two (2) additional dwellings could be developed pursuant to the proposed zone change. A detached single family dwelling generates an average of 9.57 vehicle trips per day (weekday average) pursuant to the *Institute of Transportation Engineers, Trip Generation, 7th Edition* (Page 269). Accordingly, a total of 20 additional daily vehicle trips (9.57 daily vehicle trips x 2 dwellings = 19.14 total daily vehicle trips) could potentially be generated as result of the proposed zone change. The average daily vehicle trip

SUPPLEMENTAL FINDINGS

count of Grant Road could thus increase from 976 daily trips to 996 daily trips. Consequently, Grant Road would still be operating at 14% of capacity.

D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006. Formerly 17.10.300(B)). CPMC 17.10.400(D).

Applicant's Findings: The proposed zone change complies with OAR 660-012-0060 in that the proposed zoning map designation amendment will not significantly affect an existing or planned transportation facility. Specifically, the proposal will not: (a) change the functional classification of an existing or planned transportation facility; (b) change standards implementing a functional classification system; (c) result in types or levels of travel or access inconsistent with the functional classification of an existing or planned transportation facility; or (e) degrade the performance of an existing or planned transportation facility in any manner.

As set forth above, Grant Road is currently classified by Jackson County as a local road and has an estimated capacity of 6,903 Average Daily Trips (ADT) based upon two (2) 10-foot travel lanes and two (2) 2-foot shoulders. Grant Road currently has an ADT of 976 pursuant to a traffic count conducted by Jackson County in October, 2014. Two (2) additional dwellings could be developed pursuant to the proposed zone change. A detached single family dwelling generates an average of 9.57 vehicle trips per day (weekday average) pursuant to the *Institute of Transportation Engineers, Trip Generation, 7th Edition* (Page 269). Accordingly, a total of 20 additional daily vehicle trips (9.57 daily vehicle trips x 2 dwellings = 19.14 total daily vehicle trips) could potentially be generated as result of the proposed zone change. The average daily vehicle trip count of Grant Road could thus increase from 976 daily trips to 996 daily trips. Consequently, Grant Road would still be operating at 14% of capacity. Thus, the proposed zoning map amendment will not significantly affect an existing or planned transportation facility.

E. Conclusion.

Based on the findings set forth above, Applicant respectfully requests that this Application be approved.

Dated this 14th day of January, 2015.

HUYCKE O'CONNOR JARVIS, LLP:



Daniel B. O'Connor, OSB# 950444
Attorney for Applicant

TICOR TITLE

470314035232

RECORDING REQUESTED BY:

Ticor Title Company of Oregon
1555 E. McAndrews, Suite 100
Medford, OR 97504

GRANTOR:

Brian Poppa and Jane Marie Poppa
4437 Antelope Road
White City, OR 97503

GRANTEE:

Chris Lewellyn, an estate in fee simple
1985 Rabun Way
Central Point, OR 97502

SEND TAX STATEMENTS TO:

Chris Lewellyn
1985 Rabun Way
Central Point, OR 97502

AFTER RECORDING RETURN TO:

Chris Lewellyn
1985 Rabun Way
Central Point, OR 97502

Escrow No: 470314035232-TTJA37

372W10C 1900 / 10201880

3292 Grant Road
Central Point, OR 97502

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Jackson County Official Records **2014-032306**
R-WD
Stn=3 MORGANSS **12/08/2014 12:39:54 PM**
\$10.00 \$11.00 \$10.00 \$8.00 \$20.00 **\$59.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Christine Walker - County Clerk

STATUTORY WARRANTY DEED

Brian Poppa and Jane Marie Poppa, Grantor, conveys and warrants to

Chris Lewellyn, an estate in fee simple, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Jackson, State of Oregon:

Lot One (1), in DIAMOND CENTER SUBDIVISION, Jackson County, Oregon, according to the official plat thereof, recorded in Volume 8, Page 6, Plat Records.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$183,500.00. (See ORS 93.030)

Subject to and excepting:

Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE

470314035232-TTJA37
Deed (Warranty-Statutory)

EXHIBIT "B"

ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 12-03-2014

Brian C. Poppa
Brian Poppa

Jane Marie Poppa
Jane Marie Poppa

Hawaii
State of ~~OREGON~~ on

COUNTY of Mauie

This instrument was acknowledged before me on December 3rd, 2014

by Brian Poppa & Jane Marie Poppa

Christopher Barca Notary Public - State of Oregon
My commission expires: 11-12-2016



STATUTORY WARRANTY DEED

Lot One (1), in DIAMOND CENTER SUBDIVISION, Jackson County, Oregon, according to the official plat thereof, recorded in Volume 8, Page 6, Plat Records.

Doc. Date: 12/3/2014 # Pages: 2
Christopher Barca Second Circuit
Doc. Description Statutory Warranty
Deed

[Signature] 12/3/2014
Notary Signature Date
NOTARY CERTIFICATION



Jackson County GIS



January 5, 2015

1:1,200

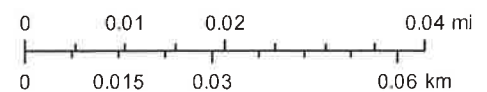
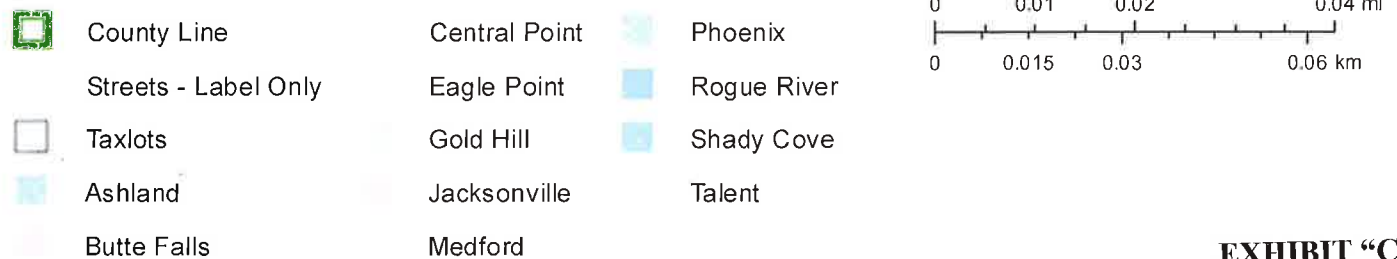


EXHIBIT "C"



EXHIBIT "D"

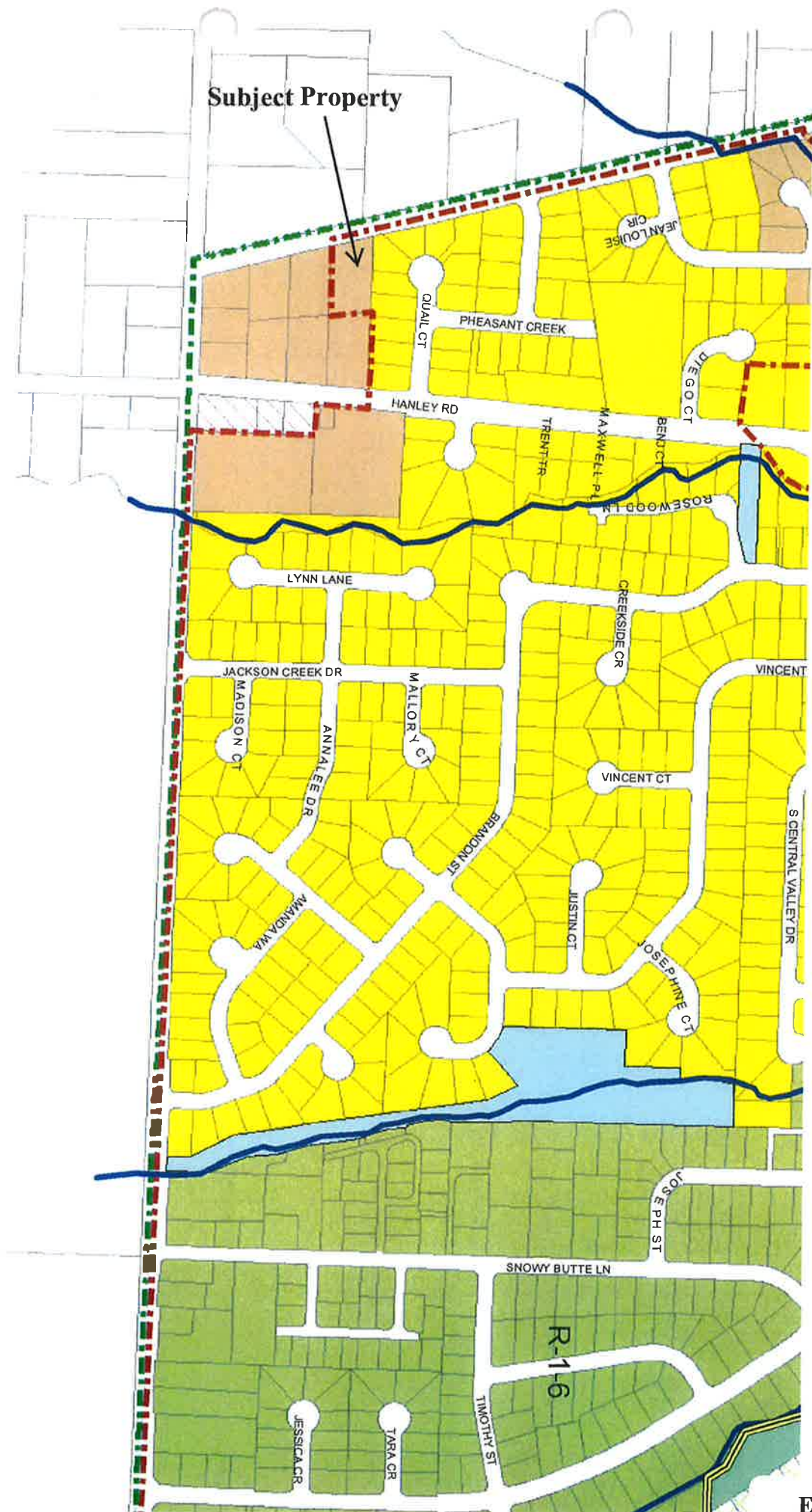


EXHIBIT "E"



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

January 14, 2015

Daniel O'Connor
823 Alder Creek Drive
Medford, OR 97504

RE: Sewer Service for 3292 Grant Road, Central Point- 372W10C TL 1900

Mr. O'Conner

Sewer service for the above named property can be obtained from the connection to the existing 15 inch mainline in Grant Road. Adequate system capacity exists for the planned 3 ERUs.

Please note that each separate tax lot will require a separate sewer lateral from the 15 inch mainline and connection to this mainline will require the obtainment of connection permits from RVSS and the payment of the related System Development Charges.

Feel free to call me to contact me with any further questions.

Sincerely,

Wade Denny, PE

Digitally signed by Wade Denny, PE
DN: cn=Wade Denny, PE, o=Rogue Valley
Sewer Services, ou=District Engineer,
email=wdenny@rvss.us, c=US
Date: 2015.01.14 09:57:32 -08'00'

Wade Denny, P.E.
District Engineer

EXHIBIT "F"

CITY OF CENTRAL POINT
BUILDING & PLANNING DEPARTMENT
140 S. 3rd Street
Central Point, Oregon 97502

LETTER OF AUTHORIZATION

LET IT BE KNOWN THAT Daniel B. O'Connor and Shala Helm
Has Been Retained to Act as Agent to Perform All Acts for Development on My Property Identified Below.
These Acts Include: Pre-application Conference, Filing Applications and/or Other Required Documents
Relative to All Zoning Applications, Septic System Feasibility, Sewage Disposal Permits and inspections,
Assigning an Address, Road Approach Permits, Manufactured Dwelling Permits Building Permits, and
Mechanical Permits (authorization not useable for Plumbing or Electrical Permits per State regulations).
3292 Grant Road, Central Point, Oregon
(Address or Road)

AND DESCRIBED IN THE RECORDS OF JACKSON COUNTY AS:

TOWNSHIP 37, RANGE 2W, SECTION 10C, TAX LOT(S) 1900

THE COSTS OF THE ABOVE ACTIONS, WHICH ARE NOT SATISFIED BY THE AGENT, ARE THE
RESPONSIBILITY OF THE UNDERSIGNED PROPERTY OWNER.

APPLICANT AND PROPERTY OWNER:

This authorization is valid for ✓ 1 year 2 years, Other _____ (Must select one)

SIGNATURE: Chris Lewellyn
PRINTED NAME: Chris Lewellyn
ADDRESS: P.O. Box 5664
CITY/STATE/ZIP: Central Point, Oregon 97502

DATE: 1/06/15
PHONE: 541-951-5576

CHECK ONE: APPLICANT X AGENT

SIGNATURE: Daniel O'Connor
PRINTED NAME: Daniel O'Connor
ADDRESS: 823 Alder Creek Drive
CITY/STATE/ZIP: Medford, Oregon 97504

DATE: 01/08/15
PHONE: 541-772-1977
FAX: 541-772-3443

CHECK ONE: APPLICANT X AGENT

SIGNATURE: Shala Helm
PRINTED NAME: Shala Helm
ADDRESS: 823 Alder Creek Drive
CITY/STATE/ZIP: Medford, Oregon 97504

DATE: 01/08/15
PHONE: 541-772-1977
FAX: 541-772-3443

PLANNING COMMISSION RESOLUTION NO. 816

**A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION TO THE
CITY COUNCIL TO APPROVE THE REZONING OF 3292 GRANT ROAD FROM
RESIDENTIAL SINGLE FAMILY (R-1-10) TO RESIDENTIAL SINGLE FAMILY
(R-1-8)
FILE NO. 15002**

Applicant: Chris Lewellyn;

WHEREAS, the Comprehensive Plan Land Use Map designates 3292 Grant Road as Low Density Residential; and

WHEREAS, the proposed Residential Single Family R-1-8 zoning designation is an urban low density residential zoning district consistent with the Comprehensive Plan and surrounding land uses;

WHEREAS, adequate public services and transportation networks are available to the site;

WHEREAS, the proposed zone change from R-1-10 to R-1-8 has been determined to be consistent State Transportation Planning Rule.

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 816, does recommend that the City Council approve the change of zone on 3292 Grant Road, also identified by the Jackson County Assessor's Map as 37S2W 10C Tax Lot 1900. This decision is based on the Staff Report dated March 5, 2015 attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 5th day of March, 2015.

Planning Commission Chair

ATTEST:

City Representative

Approved by me this 5th day of March, 2015.